

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ROBERT WHEELER,  
No. 42184-060,**

**Petitioner,**

**vs.**

**JAMES CROSS,**

**Respondent.**

**Case No. 14-cv-00360-DRH**

**MEMORANDUM AND ORDER**

**HERNDON, Chief District Judge:**

Petitioner Robert Wheeler filed his habeas corpus petition on March 20, 2014, seeking relief pursuant to 28 U.S.C. § 2241 (Doc. 1). He then requested to stay the case to allow him to prepare an amended petition, or in the alternative, to voluntarily dismiss the action without prejudice (Doc. 3). The Court instructed him to file his amended petition by May 8, 2014, and noted that if no amended petition was filed, the action would be dismissed (Doc. 4). That deadline has now passed, and Wheeler has not submitted an amended habeas petition.

**IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice. Should Wheeler again wish to seek relief under § 2241, he must file a new action.

**IT IS SO ORDERED.**

Signed this 19th day of May, 2014.

Digitally signed  
by David R.  
Herndon  
Date: 2014.05.19  
13:39:21 -05'00'

**Chief Judge  
United States District Court**